

[Submitting Counsel on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIS, INC.
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

3:23-md-03084-CRB

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO SHORTEN TIME FOR
UBER'S RESPONSE TO MOTION TO
ENFORCE PTO NO. 5 RELATED TO
GOVERNMENT INVESTIGATION
DOCUMENTS**

INTRODUCTION

Pursuant to Civil Local Rule 6-3, Plaintiffs hereby submit this administrative motion to shorten time for briefing on Plaintiffs' motion to enforce Section 6(B) of Pretrial Order No. 5 (ECF No. 175 at 3-4). Because the parties have already discussed and analyzed the dispute, Plaintiffs submit that a reasonable deadline for Uber to respond to Plaintiffs' motion is February 19, 2024¹ in order to allow the issue to be heard at the discovery hearing set for February 22, 2024.

ARGUMENT

I. REASONS FOR THE REQUEST SHORTENING OF TIME

PTO 5 has been effect since December 28, 2023, and Uber's production to date is woefully insufficient and not compliant with PTO No. 5. Plaintiffs seek to expedite a briefing schedule on this matter to avoid further delay in obtaining significant court-ordered discovery. Further, a discovery hearing has already been calendared for February 22, 2024; that hearing is an appropriate time to resolve this issue.

II. EFFORTS TO OBTAIN A STIPULATION

The parties' efforts to meet and confer on both the substantive issue of production of government investigation documents, as well as a stipulation to expedite a briefing schedule, are set forth in Plaintiffs' motion to enforce and accompanying declaration. In sum, the parties were unable to reach agreement on a briefing schedule, as described in the attached Declaration of Sarah R. London. Defendants proposed filing a response on February 23, 2024, with a hearing date shortly thereafter.² Plaintiffs submit that such a schedule is inefficient, as the matter can and should be heard at the discovery hearing set for February 22, 2024.

III. SUBSTANTIAL HARM OR PREJUDICE WITHOUT MODIFICATION

Under PTO 5, Plaintiffs should have received the discovery at issue nearly two weeks ago. Without an expedited briefing schedule, Plaintiffs will go without this court-ordered discovery for weeks more beyond the mandated deadline.

¹ Plaintiffs waive their right to file a reply brief in support of Plaintiffs' motion to enforce.

² In opposing this request to shorten time, Uber informed Plaintiffs that Uber's productions are continuing, and more documents will be produced this week.

1 **IV. NATURE OF THE UNDERLYING DISPUTE**

2 The nature of the parties' dispute is set forth in Plaintiffs' motion to enforce and
3 accompanying declaration.

4 **V. PREVIOUS TIME MODIFICATIONS**

5 The parties have agreed to depart from the ordinary timelines set out in the Local Rules
6 as agreed or ordered by the Court.

7 **VI. EFFECT OF THE REQUESTED MODIFICATION**

8 Expedited briefing on this discrete issue would not impact any other deadlines in the
9 case.

10 **CONCLUSION**

11 For the foregoing reasons, Plaintiffs seek an order requiring Uber to respond to Plaintiff's
12 motion by February 19, 2024 in order to allow the issue to be heard at the discovery hearing set
13 for February 22, 2024.

1 Dated: February 12, 2024

Respectfully submitted,

3 By: /s/ Sarah R. London

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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

By: /s/ Sarah London